

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

SOUTHERN DIVISION

TONY ANTHONY DAY, Plaintiff, vs. MINNEHAHA COUNTY, MINNEHAHA COUNTY JAIL, CORRECT CARE SOLUTIONS, Defendants.	4:14-CV-04037-KES ORDER
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On April 1, 2019, Plaintiff, Tony A. Day, filed a request for all documents filed in this case. Docket 78. The court directs the clerk of court to send Day a copy of the docket sheet, his complaint, and the final order in this case. Day should make any additional document requests to the clerk of court. The cost is \$0.50 per page and prepayment is required.

Day also requests information about the statute of limitations and procedure in a tort case. *Id.* Under Article III of the United States Constitution, courts are prohibited from issuing advisory opinions. *Pub. Water Supply Dist. v. City of Kearney*, 401 F.3d 930, 932 (8th Cir. 2005). “One kind of advisory opinion is an opinion ‘advising what the law would be upon a hypothetical state of facts.’” *Id.* (quoting *Preiser v. Newkirk*, 422 U.S. 395, 401 (1975)). Day’s

request for the statute of limitations and procedure in a tort case would require the court to issue an advisory opinion. Thus, it is

ORDERED that Day's request (Docket 78) is denied. The clerk of court will send Day a copy of the Docket Sheet, Docket 1, and Docket 53.

DATED this 2nd day of April, 2019.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER
UNITED STATES DISTRICT JUDGE